

**WAC 180-18-040 Waivers from minimum one hundred eighty-day school year requirement.**

(1) A district desiring to improve student achievement by enhancing the educational program for all students in the district or for individual schools in the district may apply to the superintendent of public instruction for a waiver from the provisions of the minimum one hundred eighty-day school year requirement pursuant to RCW 28A.300.750 and WAC 180-16-215 while offering the equivalent in annual minimum instructional hours as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district. The superintendent of public instruction may grant said waiver requests for up to three school years.

(2) The superintendent of public instruction, pursuant to RCW 28A.300.750, shall evaluate the need for a waiver based on whether:

(a) The resolution by the board of directors of the requesting district attests that if the waiver is approved, the district will meet the required annual instructional hour offerings under RCW 28A.150.220(2) in each of the school years for which the waiver is requested;

(b) The purpose and goals of the district's waiver plan are closely aligned with school improvement plans under WAC 180-16-220 and any district improvement plan;

(c) The plan explains goals of the waiver related to student achievement that are specific, measurable, and attainable;

(d) The plan states clear and specific activities to be undertaken that are based in evidence and likely to lead to attainment of the stated goals;

(e) The plan specifies at least one state or locally determined assessment or metric that will be used to collect evidence to show the degree to which the goals were attained;

(f) The plan describes in detail the participation of administrators, teachers, other district staff, parents, and the community in the development of the plan;

(g) The plan summarizes how the district considered equity in the development of the plan. This may include, but is not limited to, an equity analysis, community feedback, or other means to assess the consequences of the waiver.

(3) In addition to the requirements of subsection (2) of this section, the superintendent of public instruction shall evaluate requests for a waiver that would represent the continuation of an existing waiver for additional years based on the following:

(a) The effectiveness of the implemented activities in achieving the goals of the plan for student achievement;

(b) Explanation of how the effectiveness of the plan is measured;

(c) Any proposed changes in the plan to achieve the stated goals;

(d) Support by administrators, teachers, other district staff, parents, and the community for continuation of the waiver.

[Statutory Authority: RCW 28A.150.220 and 28A.300.750. WSR 20-03-162, § 180-18-040, filed 1/21/20, effective 2/21/20. Statutory Authority: RCW 28A.300.750 and 28A.305.141. WSR 18-24-090, § 180-18-040, filed 12/3/18, effective 1/3/19. Statutory Authority: RCW 28A.305.140(2) and 28A.305.141(3). WSR 12-24-049, § 180-18-040, filed 11/30/12, effective 12/31/12. Statutory Authority: Chapter 28A.305 RCW, RCW 28A.150.220, 28A.230.090, 28A.310.020, 28A.210.160, and 28A.195.040. WSR 10-23-104, § 180-18-040, filed 11/16/10, effective 12/17/10. Statutory Authority: RCW 28A.305.140 and 28A.655.180. WSR 10-10-007, § 180-18-040, filed 4/22/10, effective 5/23/10. Statutory Authority: RCW 28A.150.220(4),

28A.305.140, 28A.305.130(6), 28A.655.180. WSR 07-20-030, § 180-18-040, filed 9/24/07, effective 10/25/07. Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. WSR 95-20-054, § 180-18-040, filed 10/2/95, effective 11/2/95.]